

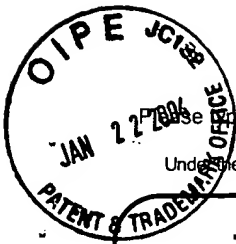
| | | | |
|--|--|--------------------------|----------------|
| FEE TRANSMITTAL for FY 2003 <small>Effective 01/01/2003. Patent fees are subject to annual revision.</small> | | Complete if Known | |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27 | | Application Number | 09/879,034 |
| TOTAL AMOUNT OF PAYMENT (\$) | | Filing Date | June 13, 2001 |
| 180.00 | | First Named Inventor | Tomihisa NAITO |
| | | Examiner Name | C. Kim |
| | | Art Unit | 3752 |
| | | Attorney Docket No. | 37872-0004 |

| | |
|--|--|
| METHOD OF PAYMENT (check one) | |
| <input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None | |
| <input type="checkbox"/> Deposit Account: Deposit Account Number: 08-1641 (Docket No. 37872-0004) Deposit Account Name: Heller Ehrman White & McAuliffe LLP | |
| The Commissioner is authorized to: (check all that apply) | |
| <input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments | |
| <input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application | |
| <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account. | |

| | | | | | |
|--|-----------------|----------------|-----------------|---|----------|
| FEE CALCULATION | | | | | |
| 1. BASIC FILING FEE | | | | | |
| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description | Fee Paid |
| 1001 | 770 | 2001 | 385 | Utility filing fee | |
| 1002 | 340 | 2002 | 170 | Design filing fee | |
| 1003 | 530 | 2003 | 265 | Plant filing fee | |
| 1004 | 770 | 2004 | 385 | Reissue filing fee | |
| 1005 | 160 | 2005 | 80 | Provisional filing fee | |
| SUBTOTAL (1) | | | | | (\$) |
| 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE | | | | | |
| Total Claims | | Extra Claims | | Fee from below | Fee Paid |
| Independent Claims | | -20** = | | 18 | |
| Multiple Dependent | | -3** = | | 86 | |
| | | | | | |
| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description | |
| 1202 | 18 | 2202 | 9 | Claims in excess of 20 | |
| 1201 | 86 | 2201 | 43 | Independent claims in excess of 3 | |
| 1203 | 290 | 2203 | 145 | Multiple dependent claim, if not paid | |
| 1204 | 86 | 2204 | 43 | **Reissue independent claims over original patent | |
| 1205 | 18 | 2205 | 9 | **Reissue claims in excess of 20 and over original patent | |
| SUBTOTAL (2) | | | | | (\$) |
| **or number previously paid, if greater; For Reissues, see above | | | | | |

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|------------------------------------|-----------------|----------------|-----------------|--|----------|
| 3. ADDITIONAL FEES | | | | | |
| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description | Fee Paid |
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 | 130 | 1053 | 130 | Non-English specification | |
| 1812 | 2,520 | 1812 | 2,520 | For filing a request for <i>ex parte</i> reexamination | |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 | 55 | Extension for reply within first month | |
| 1252 | 420 | 2252 | 210 | Extension for reply within second month | |
| 1253 | 950 | 2253 | 475 | Extension for reply within third month | |
| 1254 | 1,480 | 2254 | 740 | Extension for reply within fourth month | |
| 1255 | 2,010 | 2255 | 1,005 | Extension for reply within fifth month | |
| 1401 | 330 | 2401 | 165 | Notice of Appeal | |
| 1402 | 330 | 2402 | 165 | Filing a brief in support of an appeal | |
| 1403 | 290 | 2403 | 145 | Request for oral hearing | |
| 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 | 55 | Petition to revive - unavoidable | |
| 1453 | 1,330 | 2453 | 665 | Petition to revive - unintentional | |
| 1501 | 1,330 | 2501 | 665 | Utility issue fee (or reissue) | |
| 1502 | 480 | 2502 | 240 | Design issue fee | |
| 1503 | 640 | 2503 | 320 | Plant issue fee | |
| 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | 180 |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 | 770 | 2809 | 385 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 | 770 | 2810 | 385 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 | 770 | 2801 | 385 | Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |
| Other fee (specify) | | | | | |
| * Reduced by Basic Filing Fee Paid | | | | | |
| SUBTOTAL (3) | | | | | (\$) 180 |

| | | | |
|---------------------|-----------------------------|-----------------------------------|------------------|
| SUBMITTED BY | | Complete (if applicable) | |
| Name (Print/Type) | Patricia D. Granados | Registration No. (Attorney/Agent) | 33,683 |
| Signature | <i>Patricia D. Granados</i> | Date | January 22, 2004 |
| | | Telephone | 202-912-2000 |
| | | Customer No. | 26633 |



Please use a plus sign (+) inside this box → ☒

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

09/879,034

Filing Date

June 13, 2001

First Named Inventor

Tomihisa NAITO

Group Art Unit

3752

Examiner Name

C. Kim

Attorney Docket Number

37872-0004

ENCLOSURES (check all that apply)

☒ Fee Transmittal Form

☒ Fee Attached

☐ Amendment / Response

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☒ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/
Incomplete Application

☐ Response to Missing
Parts under 37 CFR
1.52 or 1.53

☐ Assignment Papers
(for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a
Provisional Application

☐ Power of Attorney, Revocation
Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) _____

☐ After Allowance Communication to
Group

☐ Appeal Communication to Board of
Appeals and Interferences

☐ Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s)
(please identify below):

**Copy of European Search
Report**

Remarks

RECEIVED

JAN 02 2004

TECHNOLOGY CENTER R3700

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual name

Patricia D. Granados, Reg. No. 33,683, Customer No. 26633

Signature

Patricia D. Granados

Date

January 22, 2004

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

Typed or printed name

Signature

Date



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: 37872-0004

Applicant(s): Tomihisa NAITO

Confirmation No. 3566

#11
2-5-04

Appl. No.: 09/879,034

Examiner: C. Kim

Filing Date: June 13, 2001

Group Art Unit: 3752

Title: ATOMIZING APPARATUS AND METHOD

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56 and 37 CFR §1.97**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED
JAN 02 2004
TECHNOLOGY CENTER R3700

Sir:

Submitted herewith on Form PTO/SB/08A is a listing of documents known to applicant in order to comply with applicant's duty of disclosure pursuant to 37 C.F.R. §1.56 and §1.97. A copy of each of the listed documents are being submitted to comply with the provisions of 37 C.F.R. §1.97-1.99.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or is considered to be material to patentability as defined in 37 C.F.R. §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against the claims of the present application.

RELEVANCE

The foregoing documents came to the Applicants attention during a search of the corresponding international application. A copy of the International Search Report setting forth the portion of each reference considered relevant by the examiner is attached.

01/27/2004 HAHMED1 00000066 09879034

01 FC:1806

180.00 OP

TIMING/FEE

The instant Information Disclosure Statement is being filed after the mailing date of a Final Rejection but before payment of the Issue Fee. Accordingly, pursuant to 37 CFR §1.97(d) a statement and a fee are required.

The undersigned hereby states in accordance with 37 C.F.R. §1.97(e)(1) that each item of information contained in this Information Disclosure Statement was first cited in communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Information Disclosure Statement.

The fee of \$180 set forth in 37 C.F.R. §1.17(p) is submitted herewith. The Commissioner is hereby authorized to charge any deficiency or to credit any overpayment to Deposit Account No. 08-1641.

Applicants respectfully request that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08A be returned in accordance with M.P.E.P. §609.

Respectfully submitted,

Date: January 22, 2004

HELLER EHRMAN WHITE &
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By Patricia D. Granados

Patricia D. Granados
Attorney for Applicant
Reg. No.: 33,683

Customer No. 26633

+

Approved for use through 10/31/2002. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Complete if Known

(use as many sheets as necessary)

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|-------|---|----|---|
| Sheet | 1 | of | 1 |
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| Application Number | 09/879,034 |
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| Filing Date | June 13, 2001 |
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| First Named Inventor | Tomihisa NAITO |
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| Group Art Unit | 3752 |
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| Examiner Name | C. Kim |
|---------------|--------|

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|------------------------|------------|
| Attorney Docket Number | 37872-0004 |
|------------------------|------------|

[illegible][illegible]

**Examiner
Signature**

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.